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May 25, 2000

**VIA HAND DELIVERY**

David Waddell  
Executive Director  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: Application of PurePacket Communications of the South, Inc. for a Certificate of Convenience and Necessity to Provide Facilities-Based and Resold Local Exchange and Intrastate Interexchange Telecommunications Services Within Tennessee  
Docket No. 00-00169

Dear Mr. Waddell:

This submittal contains the PurePacket Communications of the South, Inc. ("PurePacket") responses to pending data requests by the Tennessee Regulatory Authority.

In response to a remaining issue from the March 7, 2000 emailed Information Request, the company encloses the requested financial statements for PurePacket. This documentation contains proprietary and confidential information and is filed separately under seal as "Exhibit 1."

The response to the Information Request of May 8, 2000 is given below and is structured in same outline format used in the data request to address each question individually.

**Numbering Issues**

- 1. What is your company's expected demand for NXXs per NPA within a year of approval of your application?**

PurePacket expects its demand for NXXs per NPA within a year of approval of its application to be approximately one (1) NXX block of 5,000 per rate center in

each NPA where the company intends to provide service (See Question #3) with exception.

2. **How many NXXs do you estimate that you will request from NANPA when you establish your service footprint?**

PurePacket estimates it will request a total of approximately twenty (20) blocks of NXXs from NANPA when establishing its service footprint in Tennessee. Under the current environment without number pooling, PurePacket would need to obtain twenty (20) blocks of 10,000 NXXs or a total of 200,000 NXXs to meet its market requirements. Alternatively, under a number pooling regime, PurePacket would be able to meet its requirements with a combination of 10,000 and 1,000 blocks of NXXs totaling approximately 80,000 NXXs.

3. **When and in what NPA do you expect to establish your service footprint?**

PurePacket currently expects to establish its service footprint in Tennessee in the following NPAs by December, 2000: Nashville (615, 931); and Memphis (901).

4. **Will the company sequentially assign telephone numbers within NXXs?**

As a general rule, PurePacket will sequentially assign telephone numbers with NXXs; however in instances when a customer initiates the selection non-sequential numbers, PurePacket will evaluate the request on a case-by-case basis. If PurePacket accepts the request, it will assign the non-sequential numbers from its existing inventory.

5. **What measures does the company intend to take to conserve Tennessee numbering resources?**

PurePacket intends to take the following steps to conserve Tennessee numbering resources:

a. Local Number Portability (LNP). PurePacket currently projects that a significant percent of its new customer base will be obtained through the conversion of customers with existing telephone service from other carriers. The effect of LNP will be appreciable in this context. PurePacket estimates that the majority of these customers will elect to retain their existing phone numbers, thereby reducing the net amount of new telephone numbers that need to be released to serve the same population of customers.

b. Advanced Inventory Management Systems. Pursuant to PurePacket's internal numbering policy, PurePacket will return telephone numbers to the internal modern inventory management system after actual customer disconnections and 60 days of playing the number change announcement. These numbers will then be immediately available for reuse.

c. Number Pooling. PurePacket will support Number Pooling where available. PurePacket will initially check with the internal inventory management system before using new numbering resources. In addition, PurePacket will return those blocks of NXXs that are not used by PurePacket within a reasonable period of time.

6. **When ordering new NXXs for growth, what percentage fill of an existing NXX does the company use to determine when a request for a new NXX be initiated?**

When ordering new NXXs for growth, PurePacket intends to use 70% fill of an existing NXX to determine when a request for new NXXs will be initiated. The PurePacket algorithm used to calculate the percentage-fill trigger for ordering new NXXs is a function of current PurePacket consumption rates, future market projections for that region and estimated timeframes for obtaining new NXXs. PurePacket strives to implement one of the most efficient operational systems in the industry and will continually optimize the ordering of new NXXs as the variable rates change to preserve TN numbering resources.

#### Tennessee Specific Operational Issues

1. **How does the company intend to comply with TCA §65-21-114? In its description, please explain technically how the company will not bill for countywide calls within Tennessee?**

PurePacket will follow industry standard guidelines in complying with the toll-free countywide calling requirement in TCA §65-21-114. Specifically, PurePacket is developing an internal Operational Support System (OSS) that will measure all basic and local toll free calls by length of call, time of day call is placed, and distance called. This data will be collected and compiled along with the CDR (Call Detail Records) and the data in PurePacket's pre-loaded database containing Tennessee Countywide Calling information, and then processed by the internal billing mediation systems to determine the billable calls. In Tennessee, countywide calls will not be assessed a toll charge.

- 2. Is the company aware of the Tennessee County Wide Calling database maintained by BellSouth and the procedures to enter your telephone numbers on the database?**

PurePacket is aware of the Tennessee County Wide Calling database and is working in coordinated effort with BellSouth to obtain access rights. Once granted, PurePacket will electronically load the data into its Operational Support Systems (OSS), including its internal billing systems. To ensure ongoing compliance with Tennessee's toll-free calling requirements, PurePacket will continually update and modify its databases in a reasonable timeframe after availability.

- 3. How does your company intend to provide metro area toll-free calling ("MAC") around Memphis, Nashville, Knoxville and Chattanooga?**

To increase customer choice, PurePacket intends to offer an optional service allowing customers to expand their local calling area to include other rate centers in the calling scope with unlimited toll-free calling. PurePacket plans on offering this service in both Memphis and Nashville on an account-by-account basis in a fashion similar to the BellSouth Area Plus service and Business Plus Service plans. With the service, the local calling area for PurePacket business customers will include the existing basic local calling area and an expanded local calling area within a single LATA boundary. The service also includes Touch-tone lines, 7- and 10-digit calling to the expanded area within a LATA and 1 + 10 digit calling to the expanded area for calls crossing LATAs.

All basic and expanded local toll free calls will be measured by length of call, time of day call is placed, and distance called. This data will be collected and compiled along with the CDR (Call Detail Records) and then processed by the internal billing mediation systems to determine the billable calls. In addition, PurePacket intends to offer both usage based billing and fixed rate billing for calls to expanded local calling areas. It may be necessary to verify the availability of facilities to obtain service, including mileage for interoffice channels and extraordinary charges.

- 4. Is the company aware of the MAC database maintained by BellSouth and the process and procedures to enter your telephone numbers on the database?**

Yes. PurePacket is aware of the MAC database maintained by BellSouth and the process and procedures to enter the PurePacket telephone numbers into the database. PurePacket is currently working in coordinated effort with BellSouth

to obtain access rights. Once granted, PP will electronically load the data into PurePacket's OSS, including its internal billing mediation systems. PurePacket will comply with Tennessee's toll-free requirements by continually processing updates and modify its database in a reasonable amount of timeframe after availability.

- 5. Please provide the name and telephone number of an employee of your company that will be responsible to work with the TRA on resolving customer complaints.**

The individual in charge of responding to customer complaints will be Bob Henderson. The company is currently in the process of obtaining a toll-free number for customer complaints. In the interim, the number at which Mr. Henderson may be reached is (404) 569-7717.

- 6. Does the company intend to telemarket its services in Tennessee? If yes, is the company aware of the telemarketing statutes and regulations found in TCA § 65-4-401 *et seq.* and Chapter 1220-4-11?**

The company intends to telemarket its services, and is aware of the cited statutes and regulations.

**Financial Requirements:**

**TCA § 65-4-125 amendment states that by September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to TCA § 65-4-301(b) or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.**

The company will comply with TCA § 65-4-125, as amended, by filing the required surety bond by the required deadline.

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We believe these responses adequately address the Authority's questions posed in the Information Requests. Please feel free to contact me if you have any questions.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

A handwritten signature in black ink, appearing to read "April A. Ingram", with a stylized, flowing script.

By:

April A. Ingram

AAI/nl

cc: Mike Huebner  
Anne Franklin, Esq.

**EXHIBIT 1**

**Financial Statements for PurePacket of the South, Inc.**

**NOTE: This Exhibit contains confidential and proprietary information and is being submitted separately under seal.**